



John A. Freedman  
+1 202.942.5316 Direct  
John.Freedman@arnoldporter.com

March 17, 2022

**BY ECF**

The Honorable Lydia Kay Griggsby, U.S.D.J.  
101 West Lombard Street  
Chambers 5C  
Baltimore, MD 21201

Re: *Baltimore Country Branch of the National Association for the  
Advancement of Colored People, et al. v. Baltimore County, et al.*,  
Civil Action No. LKG-21-03232

Dear Judge Griggsby:

We represent the Plaintiffs in the above-referenced action. In accordance with Your Honor's March 11, 2022, Order (ECF No. 62), we write to provide notice that Plaintiffs intend to call Dr. Matthew A. Barreto, Mr. William S. Cooper, and Senator Charles E. Sydnor III as witnesses to testify during the hearing scheduled for March 21, 2022

With the Court's permission, and similar to how the February 15, 2022, conference was held, Plaintiffs respectfully request that they be allowed to reserve attorney argument time for the examination of Dr. Barreto, Mr. Cooper, and Sen. Sydnor between the various periods the Court has delineated.

Dr. Barreto is Professor of Political Science and Chicana/o Studies at UCLA and the faculty director of the UCLA Voting Rights Project. His research and teaching focuses on voting rights, expert witness reports and social science methodology. A leading scholar and pollster on Latino public opinion and voting patterns, he has published three books and more than 70 peer-reviewed journal articles. In addition to his research on Latino voting patterns, Dr. Barreto has conducted extensive research on voting rights, and has been an expert witness in numerous Voting Rights Act lawsuits. Dr. Barreto's full qualifications can be found in his CV, which was attached as an exhibit to his first declaration (ECF No. 28-3) filed in support of Plaintiffs' Motion for Preliminary Injunction.

Plaintiffs intend to examine Dr. Barreto on the findings and methodologies that are the subject of his expert declarations: racially polarized voting and white bloc voting in Baltimore County and how each of the proposed maps would perform for Black voters' candidates of choice. Further, Plaintiffs intend to seek Dr. Barreto's testimony on the findings and methodologies—or lack thereof—of Defendant Baltimore County's declarant Dr. James Gimpel.



Hon. Lydia Kay Griggsby  
Page 2

March 17, 2022

As with Dr. Barreto's prior declarations, all of his opinions are offered to a reasonable degree of professional certainty in his capacity as an expert on political science.

Mr. Cooper is an expert demographer and has worked for over 30 years as a redistricting expert for civil rights organizations and governmental entities. Mr. Cooper has testified at trial as an expert witness on redistricting and demographics in federal courts in about 45 voting rights cases in 19 states. He has worked with the ACLU of Maryland and Maryland government officials on numerous occasions to draw local redistricting plans, including drafting illustrative plans submitted by the ACLU to municipal and county officials in Chestertown (2019), Salisbury (2015), Cambridge (2011), Annapolis (2011), and Somerset County (2011). The plans Mr. Cooper developed either were adopted outright or influenced the plans ultimately adopted, most recently in Chestertown. Mr. Cooper's full qualifications can be found in his CV, which was attached as an exhibit to his first declaration (ECF No. 28-2) filed in support of Plaintiffs' Motion for Preliminary Injunction.

Plaintiffs intend to examine Mr. Cooper on the redistricting plans he has submitted in this action as part of his prior declarations, along with his methodology in creating these plans. Plaintiffs also intend to seek Mr. Cooper's testimony on Defendant Baltimore County's proposed redistricting plans and supporting methodologies of its declarant Dr. James Gimpel.

As with Mr. Cooper's prior declarations, all of his opinions are offered to a reasonable degree of professional certainty in his capacity as an expert on political science.

Senator Sydnor is one of the plaintiffs in this case and currently represents District 44 in the Maryland State Senate. He has been a member of the Senate since January 2020, and prior to that represented District 44B in the Maryland House of Delegates from January 2015 until January 2020. Senator Sydnor was born and raised in Baltimore and has lived in Catonsville since 2002. He has personal knowledge of Baltimore County and its communities, politics, and history. His experience is further detailed in his declaration (ECF 41-4).

Plaintiffs intend to examine Senator Sydnor on the subjects of his prior declaration, including his personal knowledge of Baltimore County and its communities, his own experience running for office in the county, and his personal knowledge of constituent concerns, and on how Black voters' candidates are likely to perform under each of the proposed maps.

Senator Sydnor's opinions are offered based on his personal knowledge and experience.

# Arnold & Porter

Hon. Lydia Kay Griggsby  
Page 3

March 17, 2022

Finally, in the event that Baltimore County intends to call Dr. Gimpel or any other witness, Plaintiffs respectfully request that they be permitted to reserve roughly ten minutes of their attorney argument time for cross-examination of the County's witnesses.

We appreciate the Court's attention to this matter.

Respectfully submitted,

/s/ Deborah A. Jeon

Deborah A. Jeon (Bar #06905)  
Tierney Peprah (Bar #21986)  
AMERICAN CIVIL LIBERTIES UNION  
LLP  
OF MARYLAND  
3600 Clipper Mill Road Suite 350  
Baltimore, MD 21211  
(410) 889-8555  
jeon@aclu-md.org

/s/ John A. Freedman

John A. Freedman (Bar #20276)  
Mark D. Colley (Bar #16281)  
ARNOLD & PORTER KAYE SCHOLER  
601 Massachusetts Ave, N.W.  
Washington, D.C. 20001  
(202) 942-5000  
john.freedman@arnoldporter.com

/s/ Andrew D. Freeman

Andrew D. Freeman (Bar #03867)  
BROWN GOLDSTEIN & LEVY LLP  
120 E. Baltimore Street, Suite 2500  
Baltimore, MD 21202-6701  
(410) 962-1030  
adf@browngold.com

Michael Mazzullo (admitted pro hac vice)  
ARNOLD & PORTER KAYE SCHOLER LLP  
250 W. 55th Street  
New York, NY 10019  
(212) 836-8000  
michael.mazzullo@arnoldporter.com

*Counsel for Plaintiffs*